

Munson Township

Zoning Commission Meeting

Minutes of January 20, 2020

Kurtis Taylor called the public hearing to order at 6:33pm with Dennis Medica, Nick Christie and Ed Hren present. Adriano Fiucci was absent. Also present was Zoning Inspector James Herringshaw and Secretary Julie Johnston. The Pledge of Allegiance was said.

Ed Hren read the oath and was appointed to a five (5) year term.

Nick Christie moved and Kurtis Taylor seconded to nominate Dennis Medica as Chairman of the Board. Motion carried. 4-0; Kurtis Taylor moved and Ed Hren seconded to nominate Nick Christie as Vice Chairman. Motion carried. 4-0

Nick Christie read the recommendations from the Planning Commission.

There was no public comment. The public hearing was closed at 6:56pm and the regular meeting immediately followed.

Nick Christie moved the adoption of the following motion: That the Munson Township Zoning Commission recommends the approval of the following modifications to the proposed amendment (2019-02) to the Munson Township Zoning Resolution as attached hereto. 521 (l) Whenever a parking lot and/or Loading/Unloading Space is located in or adjacent to a residential district ~~or use~~, it shall be effectively screened on all sides that adjoin or face any property used for residential purposes, by a wall, fence, or planting screen. Such wall, ~~or fence, or planting screen~~ shall be not less than ~~four~~ **six (4-6)** feet nor more than ~~six~~ **eight (6-8)** feet in height upon installation and shall be maintained in good condition. **Planting screens shall be a minimum of six (6) feet in height upon installation, deer resistant evergreens and planted so as to provide greater than fifty percent (50%) of coverage adjacent to the residential use.** The space between such wall, fence, or planting screen, and the lot line of the adjoining property in any residential district shall be landscaped and maintained in good condition. 527.1 All Roof or Wall Installed Solar Panels shall require a Zoning Certificate prior to installation. ~~Within thirty (30) days after installation the owner shall provide the Zoning Inspector with a certified letter from a qualified person or entity that reflects that the system has been installed in compliance with Section 526-527 and according to manufacturer specifications and County Building Department inspection and approval.~~

Kurtis Taylor seconded the motion. Motion carried 4-0

Dennis Medica moved that the Munson Township Zoning Commission hereby submits the attached recommendation on the proposed amendment, identified as number 2019-02 to the Munson Township Zoning Resolution together with the attached motion and text pertaining thereto, and the attached recommendation of the Geauga County Planning Commission to the Munson Township Board of Township Trustees this 20th day of January 2020. Ed Hren seconded the motion. Motion carried 4-0

Kurtis Taylor moved and Nick Christie seconded to approve the minutes of December 11, 2019 as written. Motion carried, 3-0.

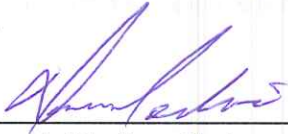
Zoning Report

The Board of Zoning Appeals heard a case from Lake Geauga Recovery Centers, Inc. from 12700 Ravenna Road. This use is not permitted in Munson Township's residential district. All of the neighboring properties are opposing this variance. The recovery center asked if the case can be continued in March. They are looking to see if their tenants may be a protected class by the State of Ohio. If that is the case, they may not require a use variance, if the legal opinion is that it trumps zoning. Peak Resorts sold to Vale in mid-December. We are waiting to see if it is a real estate or equity sale; that would determine if they need to apply for a conditional use permit.

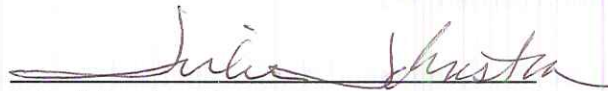
Other Business

Dennis Medica moved and Kurtis Taylor seconded to hold the next meeting on Tuesday, February 18, 2020 at 7pm. Motion carried 4-0

Kurtis Taylor moved and Ed Hren seconded to adjourn the meeting at 7:06pm. Motion carried 4-0



Dennis Medica, Chair



Julie Johnston, Secretary

Zoning Commission

Munson Township

Chardon, Ohio

RECOMMENDATION OF TOWNSHIP ZONING COMMISSION CONCERNING PROPOSED AMENDMENT TO ZONING RESOLUTION R. C. 519.12 (E)

The Munson Township Zoning Commission, Geauga County, Ohio, met in regular session on the 20th day of January 2020 at 6:30 p.m. with the following members present:

Dennis Medica, Kurtis Taylor, Nick Christie and Ed Hren


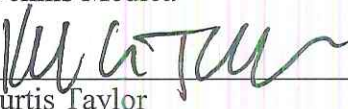


Nick Christie moved the adoption of the following motion:

That the Munson Township Zoning Commission recommends the approval of the following modifications to the proposed amendment (2019-02) to the Munson Township Zoning Resolution as attached hereto.

521 (l) Whenever a parking lot and/or Loading/Unloading Space is located in or adjacent to a residential district ~~or use~~, it shall be effectively screened on all sides that adjoin or face any property used for residential purposes, by a wall, fence, ~~or~~ planting screen. Such wall, ~~or fence, or planting screen~~ shall be not less than ~~four six~~ (4-6) feet ~~nor more than six eight~~ (6 8) feet in height upon installation and shall be maintained in good condition. ~~Planting screens shall be a minimum of six (6) feet in height upon installation, deer resistant evergreens and planted so as to provide greater than fifty percent (50%) of coverage adjacent to the residential use.~~ The space between such wall, fence, or planting screen, and the lot line of the adjoining property in any residential district shall be landscaped and maintained in good condition.

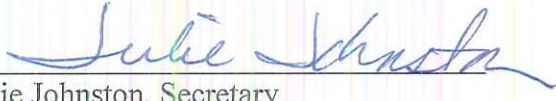
527.1 All Roof or Wall Installed Solar Panels shall require a Zoning Certificate prior to installation. ~~Within thirty (30) days after installation the owner shall provide the Zoning Inspector with a certified letter from a qualified person or entity that reflects that the system has been installed in compliance with Section 526-527 and according to manufacturer specifications and County Building Department inspection and approval.~~

Kurtis Taylor seconded the motion and the roll being called, the vote of the Munson Township Zoning Commission was as follows:

| <u>Member</u> | <u>Yes or No</u> |
|--|------------------|
|  Dennis Medica | Yes |
|  Kurtis Taylor | Yes |
|  Nick Christie | Yes |
|  Ed Hren | Yes |

Adopted the 20th day of January 2020

Attested to by:


Julie Johnston, Secretary
Munson Township Zoning Commission

Received by Munson Township Board of Township Trustees this _____ day of January 2020.

Judith Toth, Township Fiscal Officer



Geauga County Planning Commission
470 Center Street, Building 1C, Chardon, Ohio 44024
Phone (440) 279-1740 Fax (440) 285-7069
www.co.geauga.oh.us/Departments/Planning-Commission

January 15, 2020

Ms. Julie Johnston
Munson Township Zoning Commission
12210 Auburn Road
Chardon Ohio 44024

Re: Proposed Zoning Amendment 2019-02

Dear Ms. Johnston:

Please be advised that the Geauga County Planning Commission at its meeting held on January 14, 2020 voted to recommend approval of the proposed Munson Township Zoning Amendment No. 2019-02 as initiated on December 11, 2019 by the Munson Township Zoning Commission with the following modifications:

Section 521 (1.): Recommend adding language requiring plantings to be deer resistant evergreens and planted so as to provide a minimum percentage of coverage adjacent to the residential use.

Section 527.1: Recommend the first sentence remain but the remaining portion of Section 527.1 be deleted.

Pursuant to R.C. 519.12, the Planning Commission's recommendation must be considered by the Zoning Commission at its public hearing regarding the proposed amendment. Subsequent to the hearing, the recommendation is to be forwarded to the Board of Township Trustees. If the subject amendment is adopted by the Board of Trustees, a copy thereof must be provided to this office within five (5) days after its effective date.

If you have any questions, please contact the Planning Commission at (440) 279-1740.

Sincerely,

Linda M. Crombie
Planning Director, Geauga County Planning Commission

c: Susan Wieland, APA
Amendment file

RECEIVED
MUNSON ZONING COMMISSION
DATE 1/17/20
NOTED SSN
NOTED KAT
NOTED NDC
NOTED EJK
NOTED

Zoning Commission

Munson Township

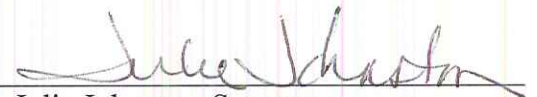
Chardon, Ohio

TRANSMISSION OF COPY OF MOTION FOR PROPOSED
AMENDMENT TO ZONING RESOLUTION
TOGETHER WITH TEXT
PERTAINING THERETO TO COUNTY
PLANNING COMMISSION
R. C. 519.12 (E)

The Munson Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment identified as number 2019-02 to the Munson Township Zoning Resolution with attached text pertaining thereto to the Geauga County Planning Commission this 11th day of December 2019.

Munson Township Zoning Commission

Attested to by:



Julie Johnston, Secretary
Munson Township Zoning Commission

Received by Geauga County Planning Commission this 13th day of December, 2019



Signature of Planning Commission Member or Employee

RECEIVED

DEC 13 2019

Gaugua County Planning Commission

Zoning Commission

Munson Township

Chardon, Ohio

MOTION TO INITIATE AMENDMENT TO MUNSON TOWNSHIP ZONING RESOLUTION

R. C. 519.12 (A)

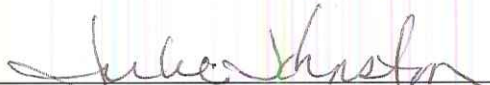
Adriano Fiucci moved the adoption of the following motion:

That an amendment to the Munson Township Zoning Resolution, identified as number 2019-02 consisting of 4 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Munson Township Zoning Commission this 11th day of December, 2019.

Kurtis Taylor seconded said motion. Upon the roll being called, the vote of the members of the zoning commission was as follows:

| <u>Member</u> | <u>Yes or No</u> |
|--|------------------|
|  _____ Adriano Fiucci | Yes |
|  _____ Kurtis Taylor | Yes |
|  _____ Lenore Pikus | Yes |
|  _____ Nick Christie | Yes |

Attested to by:



Julie Johnston, Secretary
Munson Township Zoning Commission

12/11/19

Date

Zoning Commission

Munson Township

Chardon, Ohio

MOTION TO SET DATE FOR PUBLIC HEARING ON PROPOSED AMENDMENT TO TOWNSHIP ZONING RESOLUTION R. C. 519.12 (A)

The Munson Township Zoning Commission, Geauga County, Ohio, met in regular session on the 11th day of December, 2019 at 7:00 p.m. with the following members present:

Adriano Fiucci, Kurtis Taylor, Lenore Pikus and Nick Christie

Lenore Pikus moved the adoption of the following motion:


That the Munson Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number 2019-02 to the Munson Township Zoning Resolution as attached hereto on the 20th day of January, 2020 at 6:30pm at the Munson Township Hall, 12210 Auburn Road, Munson Township.

Nick Christie seconded the motion and the roll being called, the vote of the Munson Township Zoning Commission was as follows:

| <u>Member</u> | <u>Yes or No</u> |
|--|------------------|
|  _____ Adriano Fiucci | Yes |
|  _____ Kurtis Taylor | Yes |
|  _____ Lenore Pikus | Yes |
|  _____ Nick Christie | Yes |

Adopted the 11th day of December, 2019

Attested to by:



Julie Johnston, Secretary
Munson Township Zoning Commission

Zoning Commission

Munson Township

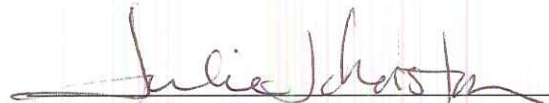
Chardon, Ohio

NOTICE OF PUBLIC HEARING
ON A MOTION
PROPOSING TO AMEND
THE MUNSON TOWNSHIP ZONING RESOLUTION
R. C. 519.12 (D)

Notice is hereby given that the Munson Township Zoning Commission will conduct a public hearing on a motion which is an amendment, identified as number 2019-02 to the Munson Township Zoning Resolution at the Munson Town Hall, 12210 Auburn Road at 6:30p.m. on Monday, January 20, 2020.

The motion proposing to amend the zoning resolution will be available for examination at the Munson Town Hall, 12210 Auburn Road from 9 o'clock a.m. to 3 o'clock p.m. from January 6, 2020 through January 20, 2020.

After the conclusion of the public hearing, the matter will be submitted to the board of township trustees for its action.



Julie Johnston, Secretary
Munson Township Zoning Commission

Publish: Geauga County Maple Leaf
December 19, 2019

**NOTICE OF PUBLIC HEARING
ON A MOTION
PROPOSING TO AMEND
THE MUNSON TOWNSHIP
ZONING RESOLUTION
R. C. 519.12 (D)**

Notice is hereby given that the Munson Township Zoning Commission will conduct a public hearing on a motion which is an amendment, identified as number 2019-02 to the Munson Township Zoning Resolution at the Munson Town Hall, 12210 Auburn Road at 6:30 p.m. on Monday, January 20, 2020.

The motion proposing to amend the zoning resolution will be available for examination at the Munson Town Hall, 12210 Auburn Road from 9:00 a.m. to 3:00 p.m. from January 6, 2020 through January 20, 2020.

After the conclusion of the public hearing, the matter will be submitted to the board of township trustees for its action.

Julie Johnston, Secretary

Dec19, 2019

Exhibit A

SECTION 202 DEFINITIONS

Setback Line - A line parallel to ~~the front~~ **any** lot line at any story level of a building which defines the limits of a yard and represents the distance which all or any part of a building or structure is to be set back from said lot line.

- b. Side Setback Line – A line parallel to any side lot line representing the distance which all or any part of any ~~principal~~ structure **other than a fence** is to be set back from the side lot line. (See Illustration below)
- c. Rear Setback Line – A line parallel to any rear lot line representing the distance which all or any part of any ~~principal~~ structure **other than a fence** is to be set back from the rear lot line. (See Illustration below)

SECTION 410 USES NOT SPECIFICALLY MENTIONED

Any use of land or structures, **unless otherwise noted herein** ~~which is not specifically mentioned as a permitted principal, permitted accessory, or conditional use within any district, shall not be permitted by the Zoning Inspector~~ **unless a variance has been granted by the Board of Zoning Appeals.** ~~it is determined by the Board of Zoning Appeals that such use is similar and compatible to uses permitted within such district. In determining if such uses are similar and compatible, the process outlined under Article 12 for Appeals shall be followed.~~

SECTION 507 PLACES OF WORSHIP

507.4 ~~Places of Worship~~ **Signs as regulated in Article 10.**

~~Signs as regulated in Article 10.~~

SECTION 516 STORAGE OF CONSTRUCTION EQUIPMENT AND OTHER LARGE VEHICLES

516.2 Other Vehicles

- a. Outdoor storage or parking of **recreational vehicles** ~~any vehicle having a gross vehicle weight rating greater than ten thousand (10,000) pounds or an overall vehicle length greater than twenty-one (21) feet shall not be permitted within any Residential District; however, more than~~ ~~excluding vehicles making temporary service or delivery calls, and a maximum of one (1) boat and one (1) recreational vehicle~~ **shall be prohibited.** Any such boat or recreational vehicle shall not be used for habitation purposes, shall have a current license **or registration,** ~~may~~ **shall** not be parked **or stored in front of the principal building on any lot** ~~within the front yard,~~ and shall not be located closer than twenty (20) feet from any lot line.

- b. The parking or storage of commercial tractors as defined in O.R.C. Section 4501.01 (D), semitrailers as defined in O.R.C. Section 4501.01 (P), or any vehicle having a gross vehicle weight (gvw) of twenty-five thousand (25,000) pounds or more, other than for the purpose of making temporary delivery or service calls, shall be prohibited outside of a fully enclosed building in any residential zoning district. In all other nonresidential zoning districts, such commercial tractors, semitrailers, or vehicles with a gvw of twenty-five thousand (25,000) pounds or more shall not be parked or stored in front of the principal building on a lot unless they are within a driveway, parking or loading/unloading area pursuant to Section 521 and shall be set back from all lot lines in accordance with the regulations for the zoning district in which they are located.

SECTION 519

TEMPORARY USES

The following regulations are necessary to govern the operation of certain uses which are non-permanent in nature. Application for a Temporary Zoning Certificate shall be made to the Zoning Inspector containing a ~~graphic~~ **comprehensive and detailed plan, submitted when application is made, which includes** a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:

519.3 Temporary Mobile Home

519.4 Temporary Uses Storage Containers

519.5 Garage Sales

Garage sales, which for purposes of this section shall include yard sales, barn sales, tent sales and similar activities, may be permitted within any district. Any individual, family and community organizations may conduct such sales for no more than five (5) consecutive days. No Zoning Certificate is required.

SECTION 521

GENERAL REQUIREMENTS FOR PARKING, AND LOADING/UNLOADING SPACES

- l. Whenever a parking lot and/or Loading/Unloading Space is located in or adjacent to a residential district ~~or use~~, it shall be effectively screened on all sides that adjoin or face any property used for residential purposes, by a wall, fence, or planting screen. Such wall, ~~or fence, or planting screen~~ shall be not less than ~~four~~ **six (6)** feet nor more than ~~six~~ **eight (8)** feet in height upon installation and shall be maintained in good condition. **Planting screens shall be a minimum of six (6) feet in height upon installation.** The space between such wall, fence, or planting screen, and the lot line of the adjoining property in any residential district shall be landscaped and maintained in good condition.

SECTION 526

FREESTANDING SOLAR ENERGY PANELS AND ARRAYS

526.1 g. All freestanding Solar Energy Panels and/or Arrays shall be able to withstand wind velocities of no less than one-hundred ~~thirty (130)~~ **fifteen (115)** MPH or more.

SECTION 527

ROOF AND WALL INSTALLED SOLAR PANELS

527.1 All Roof or Wall Installed Solar Panels shall require a Zoning Certificate prior to installation. Within thirty (30) days after installation the owner shall provide the Zoning Inspector with a certified letter from a qualified person or entity that reflects that the system has been installed in compliance with Section ~~526~~ 527 **and according to manufacturer specifications and County Building Department inspection and approval.**

SECTION 1201

ZONING CERTIFICATE REQUIRED

Unless otherwise noted herein, no person shall **establish a new use or** change any use of land **or premises,** a building, or a structure, nor locate, relocate, erect, construct, reconstruct, enlarge or structurally alter any building or structure within Munson Township without first obtaining a Zoning Certificate. No Zoning Certificate shall be issued unless the plans for the proposed building or structure or use of land fully comply with the provisions of this Resolution, unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an **appeal,** a variance or conditional use. **Unless otherwise specified,** a Zoning Certificate shall be required for all dwellings, all principal structures and uses, all accessory structures, ~~unless otherwise specified, all specified accessory uses and all~~ **designated** temporary uses. A Zoning Certificate shall not be required for the use of land or buildings or structures ~~exclusively~~ **primarily** used for agricultural purposes.

Minimum Dimensional Requirements

| Zoning Districts | Permitted Principal Uses | Minimum Lot Size | Minimum Frontage at Rd. Right-of-Way | Minimum Setback from Rd. Right-of-Way | Minimum Side Yard | **Minimum Side Yard Corner Lot | Minimum Rear Yard | Maximum Lot Coverage |
|--------------------|--------------------------------|------------------|--------------------------------------|---------------------------------------|--|--------------------------------|--|----------------------|
| R-1 | Single Fam. Dwelling Article 4 | 2.5 acres | 200 ft; 75 ft. on cul-de-sac | 80 ft. | 25 ft. | 60 ft. | 40 ft. | ----- |
| R-2 | Single Fam. Dwelling Article 4 | 5.0 acres | 250 ft; 75 ft. on cul-de-sac | 80 ft. | 25 ft. | 60 ft. | 40 ft. | ----- |
| R-3 | Single Fam. Dwelling Article 4 | 5.0 acres | 250 ft; 75 ft. on cul-de-sac | 80 ft. | 25 ft. | 60 ft. | 40 ft. | ----- |
| R-4, FP | Single Fam. Dwelling Article 4 | 5.0 acres | 250 ft; 75 ft. on cul-de-sac | 80 ft. | 25 ft. | 60 ft. | 40 ft. | ----- |
| Institutional (IN) | See Article 4 | 100 acres | See Article 4 | 80 ft. | 100 ft. | 100 ft. | 100 ft. | 40% |
| Commercial (C) | See Article 4 | 2.5 acres | 200 ft. | 80 ft. | 20 ft.; adj. to Res. District 100 ft. | 80 ft. | 50 ft.; adj. to Res. District 100 ft. | 50% |
| Industrial (I) | See Article 4 | 5.0 acres | 250 ft. | 80 ft. | 50 ft.; adj. to Res. District 100 ft. | 80 ft. | 100 ft. | 50% |
| Medical Use (MU) | See Article 4 | 2.5 acres | 200 ft. | 80 ft. | 50 ft.; adj. to Res. District 100 ft. | 80 ft. | 50 ft.; adj. to Res. District 250 ft. | 50% |

Notes: ** Corner Lot Side Yard is measured from the Road Right-of-Way of the Intersecting Road.